

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAFAEL JIMINEZ,

Defendant.

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8:07CR106

ORDER

This matter is before the court on the oral motion of defendant Rafael Jiminez (Jiminez) for additional time to prepare for trial. The motion was made during the detention hearing on November 20, 2014. Jiminez acknowledged the additional time needed for his motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. Jiminez's motion for additional time to prepare for trial is granted. Trial of this matter shall commence before Chief Judge Laurie Smith Camp and a jury **on January 13, 2015**.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from November 20, 2014, and January 13, 2015**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 20th day of November, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge